



GAIL FARBER, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 17, 2015


The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

19 February 17, 2015

  
PATRICK O'GAWA  
ACTING EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION  
DRAINAGE AND SLOPE EASEMENTS SOUTH OF COLIMA ROAD  
AND WEST OF LARKVANE ROAD  
IN THE UNINCORPORATED COMMUNITY OF ROWLAND HEIGHTS  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

### SUBJECT

This action will allow the County of Los Angeles to vacate easements for drainage and slope purposes south of Colima Road and west of Larkvane Road in the unincorporated community of Rowland Heights that are no longer needed for public use. The vacation has been requested by the underlying property owner to remove the encumbrance from the property and provide additional building area.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for drainage purposes south of Colima Road and west of Larkvane Road in the unincorporated community of Rowland Heights is no longer required for public use and that it may, therefore, be vacated, under the authority of Section 5400 of the California Health and Safety Code.
3. Find that the easements for drainage and slope purposes south of Colima Road and west of Larkvane Road in the unincorporated community of Rowland Heights have not been used for the purposes for which they were dedicated or acquired for five consecutive years immediately

preceding the proposed vacation and that they may, therefore, be vacated, pursuant to Section 8333(a) of the California Streets and Highways Code.

4. Find that the easements for drainage and slope purposes south of Colima Road and west of Larkvane Road in the unincorporated community of Rowland Heights have been determined to be excess and not required for street or highway purposes and that they may, therefore, be vacated, pursuant to Section 8334(a) of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate the easements for drainage and slope purposes south of Colima Road and west of Larkvane Road (Easements) in the unincorporated community of Rowland Heights, since they no longer serve the purpose for which they were dedicated and are not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expenses of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted on May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated contain approximately 14,110 square feet and are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easements was acquired by Deed recorded on August 6, 1975, as Instrument No. 3953, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for drainage and slope purposes.

Mr. Kenneth Pang, on behalf of Hung Chan Tsai, the underlying property owner, requested the vacation of the drainage and slope easements to remove the encumbrance from the property and provide additional building area.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The California Streets and Highways Code Section 8335 provides that upon making the required finding, the legislative body of a local agency may effectuate the summary vacation of a street, highway, or public service easement by adopting a resolution of vacation.

The California Health and Safety Code Section 5400 provides that a county board of supervisors may vacate an easement for sewage or drainage purposes whenever it determines the easement is no longer required for public use.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements and will result in the property being unencumbered by the Easements and available to the property owner for use without the restrictions of the Easements.

#### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the Easements.

#### **CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

2/17/2015

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly legible.

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
DRAINAGE AND SLOPE EASEMENTS SOUTH OF COLIMA ROAD  
AND WEST OF LARKVANE ROAD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for drainage and slope purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, south of Colima Road and west of Larkvane Road, are located in the unincorporated community of Rowland Heights in the County of Los Angeles, State of California.
2. The Easements are no longer required for public use.
3. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
4. The Easements have been determined to be excess and not required for street or highway purposes.
5. The Easements are hereby vacated pursuant to Section 5400 of the California Health and Safety Code and Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated.
7. From and after the date this resolution is recorded, the Easements will no longer constitute public service easements.

The foregoing resolution was on the 17<sup>th</sup> day of February 2015 adopted by the Board of Supervisors of the County of Los Angeles and ex officio of the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

MARK J. SALADINO  
County Counsel

By



Deputy

PATRICK OGAWA  
Acting Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By



Deputy



NS:mr

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## EXHIBIT A

Project Name: **DRAINAGE AND SLOPE EASEMENT  
SOUTH OF COLIMA ROAD AND WEST  
OF LARKVANE ROAD 21-26VAC**

Includes: Parcel No. 21-26VAC.1

A.I.N. 8265-003-014

T.G. 678-J5

I.M. 099-297

R.D. 417

S.D. 4

M1488105

### LEGAL DESCRIPTION

**PARCEL NO. 21-26VAC** (Vacation of easement for drainage purposes):

That certain parcel of land described as Parcel 21-26D.1 in deed to the County of Los Angeles recorded on August 6, 1975, as Document No. 3953, of Official Records, in the office of the Registrar-Recorder/County Clerk of said County.

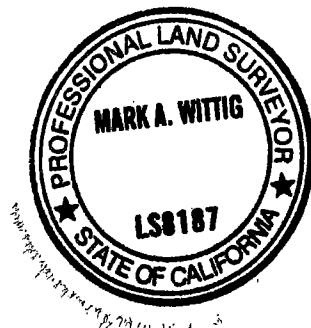
EXCEPTING therefrom that portion lying within that certain parcel of land designated as "ESMT. FOR STORM DRAIN AND EQUESTRIAN TRAIL PURPOSES TO THE COUNTY OF LOS ANGELES." as shown on map of Tract No. 34362, filed in Book 918, pages 18 through 22, of Maps, in the office of said Registrar-Recorder/County Clerk.


Containing: 5,461± square feet.

**PARCEL NO. 21-26VAC.1** (Vacation of easement for slope purposes):

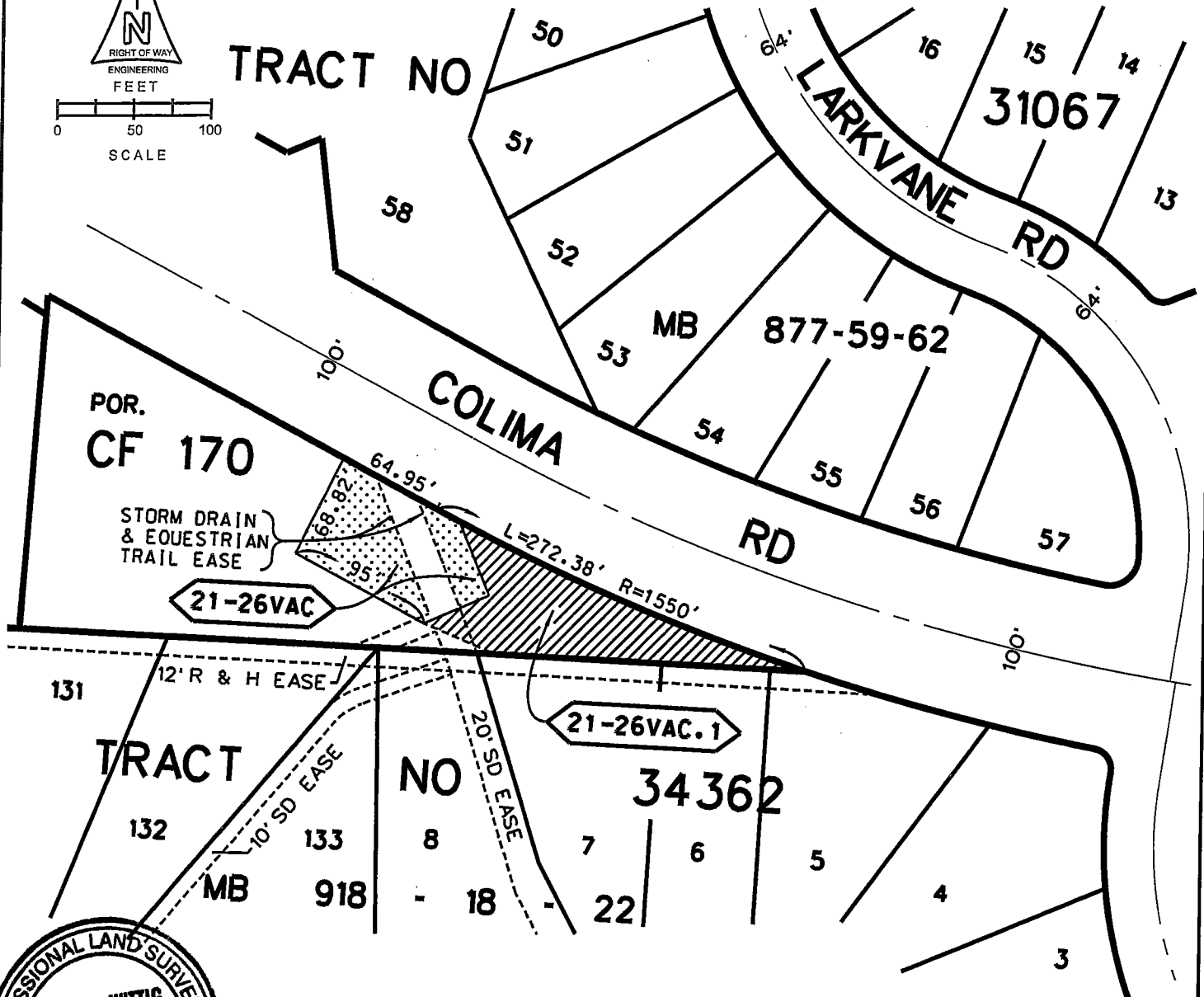
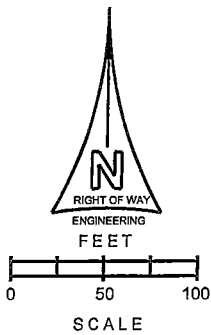
That certain parcel of land described as Parcel 21-26S.1 in above-mentioned deed.

Containing: 8,649± square feet.



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
	Los Angeles County Department of Public Works
Dated	1/7, 2015

# EXHIBIT B



BY *Mark A. Wittig* 1/7/15  
 LICENSED SURVEYOR DATE

## LEGEND



PROPOSED VACATION OF  
 DRAINAGE EASEMENT  
 TOTAL AREA = 5,461±SQ.FT.



PROPOSED VACATION OF  
 SLOPE EASEMENT  
 TOTAL AREA = 8,649± SQ.FT.

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS  
 SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 678-J5  
 I.M. 099-297  
 S.D. 4  
 R.D. 417

**DRAINAGE AND SLOPE EASEMENT  
 SOUTH OF COLIMA ROAD AND  
 WEST OF LARKVANE ROAD**

DATE  
 12-30-14

SCALE:  
 1" = 100'

A.I.N  
 8265-003-014

PREPARED BY R. AVANCENA

PROJECT I.D.  
 MPV0000163

PROJECT NO.  
 M1488105